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VIA ECF

Magistrate A. Kathleen Tomlinson
United States Magistrate Judge
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, NY 11201

Re: **Jose Guterrez et al v. Davinci's Restaurant & Lounge et al,**
Case No. 20-cv-5380 (GRB/AKT)

Dear Magistrate Tomlinson,

As the Court is aware, I represent the Defendants in the above matter. I am writing this letter after having discussed the reasons for this letter with Mr. Monteiro who represents the Plaintiffs. Mr. Monteiro is extremely cordial, professional, and a great colleague.

When the Court held the conference on this matter a few weeks ago, due to the delay in Discovery Responses, the Court reset the deadlines for a three-week extension. I immediately contacted my clients and essentially worked many hours each day trying to meet that deadline.

Today, I received a call from one of my clients, Christina Bouzalas, who accused me of a conflict-of-interest representation even though she agreed a year ago that there was no conflict. She also accused me of doing nothing on the case. We are unable to continue representing her.

There are multiple Defendants and the establishment was sold in 2019. Ms. Bouzalas is responsible for a limited amount of wages prior to that time. Of course if the class action is actually pursued, that changes everyone's liability.

I sent Ms. Bouzalas a draft of the Discovery Responses and when she called me, she essentially criticized me for representing the Defendants with a conflict of interest; not doing anything on the case along with other insults regarding my representation. It is clear under the Canons of Professional Responsibility, I can no longer represent this Defendant and undoubtedly her brother George L/N/U.

I spoke to Plaintiff's counsel who has been completely understanding and super professional.

I would ask that this letter serve as a matter to withdraw for Christina; Jose Bonella, George. If the Court wishes an in-person conference, Zoom, or telephone appearance, I will be available. The Defendants will be informed by me of this Court's Order.

Respectfully Submitted,

/s/

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